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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR 09-1003 (MHP)
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME UNDER SPEEDY TRIAL
v.	)	ACT, 18 U.S.C. § 3161
	)	
JAVIER SILVA-MALDONADO,	)	
	)	
Defendant.	)	
_____	)	

On November 2, 2009, the parties in this case appeared before the Court for an initial appearance. At that time, the parties requested, and the Court agreed, to continue this matter for a possible change of plea on December 14, 2009. The parties agree that, taking into account the public interest in prompt disposition of criminal cases, good cause exists for this extension.

The defendant also agrees to exclude for this period of time any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the continuance was the

reasonable time necessary for continuity of counsel and effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

DATED: November 2, 2009 /s/  
BENJAMIN P. TOLKOFF  
Assistant United States Attorney

DATED: November 2, 2009 /s/  
GEOFFREY HANSEN  
Attorney for JAVIER SILVA-MALDONADO

For the reasons stated above, the Court finds that the continuation of this matter from November 2, 2009, to December 14, 2009, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161 (h)(7)(A). The failure to grant the requested continuance would deny the defendant effective preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

SO ORDERED.

DATED: 11/3/2009

